

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Roscoe Franklin,

Plaintiff,

v.

GE Capital Assurance Company,

Defendant.


Civil Action

No. 02-CV-3359 (TNO)

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for the respective parties that the claims in the above-entitled action against defendant GE Capital Assurance Company be and the same are hereby dismissed with prejudice and without costs, disbursements or attorneys' fees to any party.

SUGARMAN & ASSOCIATES P.C.

  
Robert J. Sugarman  
100 North 17<sup>th</sup> Street  
11<sup>th</sup> Floor, Robert Morris Building  
Philadelphia, PA 19103  
(215) 864-2500

Counsel for Plaintiff

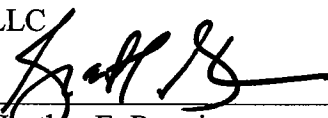
Dated: December 23, 2004

SO ORDERED:

O'Neill, J.

Dated: \_\_\_\_\_, 200

ECKERT SEAMANS CHERIN & MELLOTT,  
LLC

  
Heather E. Rennie  
Brad P. Bender (86679)  
1515 Market Street, 9<sup>th</sup> Floor  
Philadelphia, PA 19102  
(215) 851-8400

Counsel for Defendant GE Capital Assurance  
Company

January 14, 2005  
Dated: ~~December~~ \_\_, 2004